

NOV. 3. 2003

5:30PM

858 792-6773 FOLEY AND LARDNER

NO. 5360 P. 1

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From : Stephen E. Reiter *SR*  
Sender's Direct Dial : 858.847.6711  
Date : November 3, 2003  
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**MESSAGE:****OFFICIAL**

Re: Application Serial No. 09/647,661

Following are copies of:

Amendment Transmittal (3 pgs.);

Response to Restriction Requirement (11 pgs.).

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NO. 5360 P. 2

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Atty. Dkt. No. DALHO1270-2  
(028614-1001)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

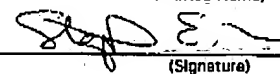
Applicant: Hoffman and Goodwin  
Title: NOVEL NITROREDUCTASE  
AND THERAPEUTIC USES  
THEREFOR

Appl. No.: 09/647,661

Filing Date: 01/31/2001

Examiner: A. Holleran

Art Unit: 1642

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
<u>Stephen E. Reiter</u> (Printed Name)	
 (Signature)	
<u>November 3, 2003</u> (Date of Deposit)	

**AMENDMENT TRANSMITTAL**

Mail Stop NON-FEE AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ X ] Applicant claim Small Entity Status under 37 C.F.R. § 1.27.

[ ] Assertion of Small Entity status is enclosed.

[ X ] The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	36	<input type="checkbox"/> 37	= 0	x \$18.00	= \$0.00
Independents:	5	<input type="checkbox"/> 5	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$290.00	= \$0.00
CLAIMS FEE TOTAL:					= \$0.00

Atty. Dkt. No. DALHO1270-2  
(028614-1001)

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$420.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$950.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,480.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,010.00	\$0.00
	EXTENSION FEE TOTAL:		\$0.00
	Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$55.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
	TOTAL FEE:		\$0.00

- ☐ Please charge Deposit Account No. 50-0872 in the amount of \$\_\_\_\_. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such

Atty. Dkt. No. DALHO1270-2  
(028614-1001)

extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to  
Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address  
indicated below.

Respectfully submitted,

Date: November 3, 2003

FOLEY & LARDNER

Customer Number: 30542

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By



Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192

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PATENT  
Attorney Docket No.: DALHO1270-2  
(028614-1001)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Hoffman and Goodwin

Group Art Unit: 1642

Application No.: 09/647,661

Examiner: A. Holleran

Confirmation No.: 2441

**CERTIFICATE OF FACSIMILE TRANSMISSION**  
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C., on the date below.

Filing Date: January 31, 2001

For: NOVEL NITROREDUCTASE AND  
THERAPEUTIC USES THEREFOR

Stephen E. Reiter

Printed Name



November 3, 2003

Signature

Date

MAIL STOP NON-FEE AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

Responsive to the Office Action mailed October 3, 2003 (Paper No. 8), please consider the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.